

**Proposed Substitute
Bill No. 99**

LCO No. 5214

**AN ACT REQUIRING NEW CAR DEALERS TO PROVIDE
PURCHASERS WITH INFORMATION REGARDING THE MAGNUSON-
MOSS WARRANTY ACT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2015*) Each new car dealer, as
2 defined in section 14-51 of the general statutes, at the time the sale of a
3 new motor vehicle, as defined in section 14-1 of the general statutes, is
4 executed, shall deliver to the purchaser of such new motor vehicle a
5 written statement, in a size equal to at least ten-point bold type, as
6 follows: "The Magnuson-Moss Warranty Act, 15 USC 2301 et seq.,
7 makes it illegal for motor vehicle manufacturers or dealers to void the
8 motor vehicle warranty or deny coverage under the warranty simply
9 because aftermarket or recycled parts were installed or used on the
10 vehicle or simply because someone other than the dealer performed
11 service on the vehicle."

12 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section, (1)
13 "encrypt" means the transformation of electronic data into a form in
14 which meaning cannot be assigned without the use of a confidential
15 process or key, and (2) "personal information" means an individual's
16 first name or first initial and last name in combination with any one or
17 more of the following data: (A) A Social Security number; (B) a driver's

18 license number or a state identification number; (C) a home address; or
19 (D) individually identifiable health information. "Personal
20 information" does not include publicly available information that is
21 lawfully made available to the general public from federal, state or
22 local government records or widely distributed media.

23 (b) Not later than July 1, 2016, each insurer, banking or financial
24 organization, data broker that collects personal information and health
25 care center or other entity licensed to do health insurance business in
26 this state shall implement security technology that encrypts the
27 personal information of consumers, insureds and enrollees that is
28 compiled or maintained by such insurer, banking or financial
29 organization, data broker, health care center or other entity. Any such
30 security technology shall be updated as is necessary and practicable.

31 (c) Not later than seven days after receiving notice of unauthorized
32 access to personal information by a third party, an entity listed in
33 subsection (b) of this section shall notify each person who has had his
34 or her personal information accessed, in writing, of such unauthorized
35 access of his or her personal information.

36 (d) An entity required to notify a person of unauthorized access of
37 his or her personal information pursuant to subsection (c) of this
38 section shall provide such person with not less than two years of
39 commercially available identity theft monitoring and protection at no
40 charge to the person.

41 (e) The Insurance Commissioner, after consulting with the
42 Commissioner of Consumer Protection, shall adopt regulations, in
43 accordance with the provisions of chapter 54 of the general statutes, to
44 implement the provisions of this section and to establish minimum
45 standards for security technology required to be implemented
46 pursuant to subsection (b) of this section.

47 Sec. 3. Subsection (a) of section 20-679a of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective*
49 *October 1, 2015*):

50 (a) Not later than [seven] four calendar days after the date on which
51 a registry supplies, refers or places an individual with a consumer, the
52 registry shall provide the consumer with a written notice, to be signed
53 by the consumer, specifying the legal liabilities of such registry to the
54 individual supplied or referred to or placed with the consumer. If the
55 registry maintains an Internet web site, a sample of the notice shall be
56 posted on such Internet web site.

57 Sec. 4. (NEW) (*Effective October 1, 2015*) (a) No person, as defined in
58 section 1-1 of the general statutes, shall (1) knowingly make an
59 unsolicited business telephone call to a consumer using a caller
60 identification service or device that transmits misleading or inaccurate
61 caller identification information to the recipient of the telephone call
62 with the intent to defraud or cause harm to such recipient, or (2)
63 having made such unsolicited business telephone call to a consumer,
64 fail to maintain an active consumer response telephone line for
65 consumer questions and complaints.

66 (b) Any person who violates the provisions of subsection (a) of this
67 section shall have engaged in an unfair or deceptive act or practice in
68 the conduct of trade or commerce under chapter 735a of the general
69 statutes.

70 (c) Any person having knowledge of a violation of subsection (a) of
71 this section may report all facts and information in such person's
72 possession concerning such violation to the Attorney General. The
73 Attorney General may review such facts and information and
74 investigate as he or she deems proper regarding such facts and
75 information and any other information that may be reasonably derived
76 from such report. If the Attorney General takes action against any
77 person for violating the provisions of subsection (a) of this section, the
78 person who reported such violation shall be awarded one-half of any
79 monetary fines or settlement recovered by the Attorney General from
80 the violator.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2015</i>	20-679a(a)
Sec. 4	<i>October 1, 2015</i>	New section